

Message Text

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70

ACTION EB-11

INFO OCT-01 ARA-16 ADP-00 CIAE-00 COME-00 DODE-00 FMC-04

INR-10 NSAE-00 RSC-01 CG-00 COA-02 DOTE-00 AID-20

IGA-02 PM-07 H-03 L-03 NSC-10 PA-03 PRS-01 SS-15

INRE-00 NSCE-00 SSO-00 USIE-00 RSR-01 /110 W

----- 081746

O R 132310Z JUL 73

FM AMEMBASSY MANAGUA

TO SECSTATE WASHDC IMMEDIATE 2009

INFO AMEMBASSY GUATEMALA

AMEMBASSY SAN JOSE

AMEMBASSY TEGUCIGALPA

AMEMBASSY SAN SALVADOR

UNCLAS MANAGUA 3096

EO 11652: NA

TAGS: ETRN NU US

SUBJECT: NICARAGUAN SHIPPING DISCRIMINATION

REF: MANAGUA 3027

1. FOLLOWING IS THE TEXT OF GON REPLY TO EMBASSY
NOTE NO. 28 DATED APRIL 26, 1972, ON CARGO RESERVATION
LAW: UNOFFICIAL TRANSLATION QUOTE THE MINISTRY OF
FOREIGN AFFAIRS PRESENTS ITS COMPLIMENTS TO THE
HONORABLE EMBASSY OF THE UNITED STATES OF AMERICA
AND TAKES ADVANTAGE OF THE OCCASION TO BROADEN THE
TERMS OF NOTE CPG NO. 181, OF THE GENERAL SECRETARIAT,
DIPLOMATIC SECTION, OF MAY 13, 1972, IN THAT,
ACCORDING TO THE TREATY OF FRIENDSHIP, COMMERCE AND
NAVIGATION BETWEEN THE REPUBLIC OF NICARAGUA AND THE
UNITED STATES OF AMERICA, THE VESSELS OF THE U.S.A.
WILL CONTINUE RECEIVING IN NICARAGUA NATIONAL AND
MOST-FAVORED-NATION TREATMENT. (NEW PARAGRAPH) THEREFORE,
THE MINISTRY OF FOREIGN AFFAIRS INFORMS THE HONORABLE
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EMBASSY OF THE UNITED STATES OF AMERICA, THAT IT IS

INFORMING ALL NICARAGUAN CONSULATES IN THE TERRITORY OF THE U.S., AS WELL AS ALL THE NICARAGUAN MARITIME AND INLAND CUSTOMS TO THAT EFFECT, SO THAT THEY MAY CONTINUE GRANTING SAID NATIONAL AND MOST-FAVORED-NATION TREATMENT TO ALL CARGO TRANSPORTED ON U.S. FLAG VESSELS TO NICARAGUA PORTS, OR TO CARGO TRANSPORTED BY U.S. FLAG VESSELS TO OTHER PORTS IN THE AREA AND SENT BY LAND TO NICARAGUAN CUSTOMS. (NEW PARAGRAPH) IN ACCORDANCE WITH THE TERMS OF THE TREATY, IT IS EQUALLY ESTABLISHED THAT, NICARAGUAN FLAG VESSELS WILL RECEIVE RECIPROCALLY THE SAME NATIONAL AND MOST-FAVORED-NATION TREATMENT IN THE U.S.A. (NEW PARAGRAPH) LIKEWISE, ACCORDING TO THE TERMS OF NOTE #28 OF APRIL 26, 1972, OF THE AMERICAN EMBASSY, THE MINISTRY IS AWARE THAT IN INSTANCES WHEN THE GOVERNMENT OF THE U.S. RESERVES ONE HUNDRED PERCENT OF A DETERMINED CARGO TO BE TRANSPORTED BY U.S. FLAG VESSELS, "A WAIVER OF UP TO FIFTY PERCENT CAN BE GRANTED BY THE MARITIME ADMINISTRATION, AT THE REQUEST OF THE RECEIVING COUNTRY." (NEW PARAGRAPH) THEREFORE, THE MINISTRY OF FOREIGN AFFAIRS REQUESTS THAT THE U.S. EMBASSY OBTAIN FROM THE U.S. MARITIME COMMISSION THE WAIVER FOR FIFTY PERCENT OF SUCH CARGO IN FAVOR OF NICARAGUAN FLAG VESSELS. COMPLIMENTARY CLOSE AND DATED JULY 11, 1973. END QUOTE.

2. COMMENT: WHILE FOREGOING IS SOMEWHAT GENERAL RESPONSE TO OUR NOTE OF APRIL 1972, WE HAVE VERBAL ASSURANCES BY GON OFFICIALS THAT IT IS INTENDED TO COVER THE SPECIFIC POINTS WE RAISED AND REMOVE PAST OBSTACLES TO U.S. FLAG LINE PARTICIPATION IN THE TRADE. IF IMPLEMENTED PROMPTLY AND FULLY, IT SHOULD MEET THIS OBJECTIVE. WE BELIEVE THE NEXT SEVERAL MONTHS WILL TELL THE STORY. DEPARTMENT SHOULD URGE U.S. LINES TO INFORM US PROMPTLY OF ANY SPECIFIC PROBLEMS THEY ENCOUNTER. UP TO PRESENT WE HAVE HAD ONLY LIMITED CONTACT WITH SEA-LAND LINES AND NONE AT ALL WITH DELTA. MEANWHILE, DEPARTMENT REQUESTED TO ASSURE MARAD WAIVER FOR UP TO FIFTY PERCENT OF U.S. RESERVED CARGO IN ORDER TO ELIMINATE ANY POSSIBLE

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GROUND FOR DELAY OR BACKSLIDING.
SHELTON

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NNN

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Decaption Note:
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Disposition Date: 01 JAN 1960
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Disposition History: n/a
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